

P O R T E R | S C O T T

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Attorneys for Defendants

Exempt from Filing Fees Pursuant to Government Code § 6103

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ESTATE OF WILLIAM HENNEFER, JAH,
JUH, WH, NH AND BIANCA HENNEFER,

Plaintiffs,

v.

CASE NO. 2:22-cv-00389-TLN-CSK

**DEFENDANTS' MOTION FOR
ADMINISTRATIVE RELIEF REQUESTING
LEAVE FOR PAGE LIMIT INCREASE TO
MOTION FOR SUMMARY JUDGEMENT;
ORDER**

YUBA COUNTY, CALIFORNIA
OPERATOR OF THE YUBA COUNTY
SHERIFF'S DEPARTMENT SHERIFF
WENDELL ANDERSON,
UNDERSHERIFF NICHOLAS
MORAWCZNSKI, CAPTAIN JOSEPH
MILLION, LIEUTENANT BRANDON
SPEAR, DEPUTY TENG SAECHAO,
DETECTIVE ROGER TARWATER,
DETECTIVE NATALIE MULLINS,
DEPUTY RAYMON ELLIS, DEPUTY
TYLER ECK, DEPUTY VALENTINO
AGUIRRE, DEPUTY DALLAS THORPE,
DEPUTY BRADON MALLORY AND
DOES 1-15,

Defendants.

SAC: 8/12/24

FAC: 07/21/23

Complaint Filed: 02/27/22

Defendants file this motion for administrative relief and seek leave from the Court to file a ten

(10) page limit extension to Defendants' Motion for Summary Judgment which shall be filed by no later than January 23, 2025 pursuant to the Courts Scheduling Order.

Eastern District Local Rule 233 sets for the procedure for filing a motion for administrative relief:

- (1) must be labeled as a motion for administrative relief;
- (2) may not exceed 5 pages (excluding declarations and exhibits);
- (3) must set forth specifically the action requested, the reasons supporting the request, and relevant background information (such as a description of any similar relief that has previously been granted);
- (4) must be accompanied by a proposed order;
- (5) must include a statement setting forth the position of all parties affected by the motion, or a statement explaining why such position could not be ascertained; and
- (6) if manually filed, must be delivered with all attachments on all parties on the same day the motion is filed.

On August 12, 2024, Plaintiffs filed a Second Amended Complaint ("SAC"). (ECF 48) Plaintiffs' SAC brings 17 claims for relief against 13 individually named Defendants. Plaintiffs' SAC involves federal and state claims arising for a law enforcement traffic stop which resulted in a standoff and eventual death of William Hennefer.

Defendants seek a ten (10) page extension to file Defendants' Motion for Summary Judgment because Plaintiffs' operative complaint contains 17 separate claims for relief—many of which are asserted against 13 Defendants in total. The claims against the individual Defendants involve separate and distinct actions over the traffic stop incident, multi-hour standoff, and eventual approach to the vehicle where William Hennefer was determined to be deceased. Defendants' Motion for Summary Judgment will need to address each of the separate claims and distinct actions from each of the Defendants. To sufficiently address the claims against each Defendant within the Motion for Summary Judgment, Defendants need an additional ten-page extension (for a total of 30 pages) to file the Motion for Summary Judgment. This is the first time Defendants have requested such relief. Furthermore, this Court's Standing Orders set for the requirements for seeking a page limit extension when filing a Motion for Summary Judgement.

1 On December 17, 2024, the parties had a phone call prior to the filing of the motion. Plaintiffs'
2 counsel stated he did not oppose the request, and the parties agreed Plaintiffs should be provided the
3 same 30 pages for any Opposition to the Motion for Summary Judgment. The parties also discussed
4 whether any deadline extensions would be provided for responding to the Motion for Summary
5 Judgment, but no agreement has been reached at this point.

6
7 Dated: December 23, 2024

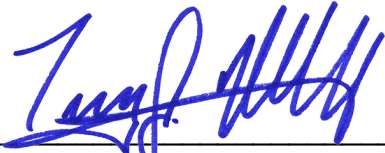
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9 By /s/Matthew W. Gross
10 Carl L. Fessenden
11 Matthew W. Gross
12 Attorneys for Defendants
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ORDER

This Court hereby grants Defendants' motion for administrative relief and permits Defendants to file a ten (10) page limit extension to Defendants' Motion for Summary Judgment. Defendants' Motion for Summary Judgment shall not exceed 30 pages. Plaintiff will be provided an opportunity to file a ten (10) page limit extension in Opposition to Defendants' Motion for Summary Judgment.

Dated: December 23, 2024



Troy L. Nunley
Chief United States District Judge